



**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Implement the Commission's Procurement Incentive Framework and to Examine the Integration of Greenhouse Gas Emissions Standards into Procurement Policies.

Rulemaking 06-04-009
(Filed April 13, 2006)

**COMMENTS OF THE
CALIFORNIA MUNICIPAL UTILITIES ASSOCIATION ON THE PROPOSED
DECISION FOR THE CPUC'S INTERIM EMISSIONS PERFORMANCE STANDARD**

January 2, 2007

Bruce McLaughlin
C. Anthony Braun
Braun & Blaising, P.C.
915 L Street, Suite 1420
Sacramento, CA 95814
Tel: (916) 326-5812
Fax: (916) 326-5813
Email: mclaughlin@braunlegal.com

*Attorneys for the
California Municipal Utilities Association*

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Implement the
Commission’s Procurement Incentive Framework
and to Examine the Integration of Greenhouse Gas
Emissions Standards into Procurement Policies.

)
)
)
)
)
)

Rulemaking 06-04-009
(Filed April 13, 2006)

**COMMENTS OF THE
CALIFORNIA MUNICIPAL UTILITIES ASSOCIATION ON THE PROPOSED
DECISION FOR THE CPUC’S INTERIM EMISSIONS PERFORMANCE
STANDARD**

In accordance with Rule 14 of the Rules of Practice and Procedure of the Public Utilities Commission (“CPUC” or “Commission”) of the State of California, the California Municipal Utilities Association (“CMUA”) hereby files these Comments on the *Interim Opinion on Phase 1 Issues: Greenhouse Gas Emissions Performance Standard* (“Proposed Decision”) filed December 13, 2006, in Rulemaking R.06-04-009 (“Rulemaking”).

I. SCOPE OF CMUA’S COMMENTS.

CMUA represents California’s publicly owned electric utilities (“POUs”) serving approximately one-quarter of the electricity load in the state. Although, POUs are not CPUC-jurisdictional and the Commission’s greenhouse gas (“GHG”) emission performance standard (“EPS”) and associated rules will not apply directly to POUs, these comments are provided in this Rulemaking to assist in the development of EPS rules that serve the interests of all Californians. Furthermore, POUs have an interest in the outcome of this Rulemaking since the California Energy Commission (“CEC”) has stated its intention to consider CPUC proposals in its Docket 06-OIR-1, to adopt and implement an EPS for POUs.

CMUA raises these comments in the interest of correcting certain errors or omissions in the Proposed Decision, and addresses only those topics that are not uniquely specific to the POU standard being promulgated in CEC Docket 06-OIR-1.

II. LEGISLATIVE INTENT MUST BE ASCERTAINED IN ORDER TO PROPERLY AND UNIFORMLY IMPLEMENT SB 1368.

As evidenced by the discussion in the Proposed Decision, certain parties have offered different interpretations for several sections in Senate Bill (“SB”) 1368 involving subjects that are critical to drafting rules for an emission performance standard. Therefore, it is essential to follow a uniform and consistent scheme when interpreting SB 1368 in order to accurately implement the intent of the full Legislature.¹

A. These Comments will use terms consistently as defined.

CMUA understands that some of the words and phrases defined in SB 1368 are still the subject of interpretive questions in this Rulemaking. CMUA will either capitalize the terms or use the generally accepted acronyms when using the terms in these Comments, except in direct quotes. Listed below are the most pertinent words or phrases.

Baseload Generation - “Baseload generation” means electricity generation from a powerplant that is designed and intended to provide electricity at an annualized plant capacity factor of at least 60 percent.²

LSE - "Load-serving entity" means every electrical corporation, electric service provider, or community choice aggregator serving end-use customers in the state.³

POU - "Local publicly owned electric utility" means a "local publicly owned electric utility" as defined in Section 9604.⁴

LTFC - “Long-term financial commitment” means either a new ownership investment in baseload generation or a new or renewed contract with a term of five or more years, which includes procurement of baseload generation.”⁵

Powerplant - "Powerplant" means a facility for the generation of electricity, and includes one or more generating units at the same location.⁶

¹ CMUA notes that the motive, understanding, or intent of an individual legislator is not evidence of the collective Legislative intent, even if that legislator was the author of the bill in question. *People v Jeffrey Patterson*, 72 Cal. App. 4th 438, 443 (1999).

² Pub. Util. Code § 8340(a); all statutory references are to the Public Utilities Code, unless otherwise noted.

³ § 8340(h).

⁴ § 8340(i).

⁵ § 8340(j).

EPS - CMUA uses this to mean the quantitative emission performance standard which is expressed in pounds of CO₂ per MWh.

CPUC Rules – CMUA uses this to mean the set of rules, including the EPS, which will be adopted by the CPUC to implement SB 1368 for LSEs.⁷

B. The Legislature intends the EPS to reduce certain potential future risks to California consumers associated with the procurement of electricity.

The clear legislative intent of SB 1368 is to protect California’s electricity consumers from potential future risks that might occur as a result of an LSE’s long-term commitments for the procurement of electricity. *An investment or contract that does not include the procurement of electricity to serve retail customers will not trigger an EPS analysis.*

As discussed in the Proposed Decision,⁸ Section 1 of SB 1368 states that the Legislature finds and declares that establishing an EPS for the “*procurement of electricity by load-serving entities* is a logical and necessary step”⁹ An EPS for “long-term financial commitments to electrical generating resources will reduce potential financial risk to *California consumers* for future pollution-control costs”¹⁰ and “will reduce potential exposure of *California consumers* to future reliability problems in electricity supplies.”¹¹ “[T]he Governor’s goals for reducing emissions of greenhouse gases must be applied to the *state’s electricity consumption*, not just the state’s electricity production.”¹² Lastly, “[a]s the largest *electricity consumer* in the region, California has an obligation to provide clear guidance on *performance standards for procurement of electricity by load-serving entities.*”¹³

⁶ § 8340(m).

⁷ § 8341(b)(3). The CEC shall adopt separate EPS *regulations* for the POUs. § 8341(c), (e).

⁸ See Proposed Decision (“PD”) at 168.

⁹ SB 1368, section 1(h) (emphasis added).

¹⁰ SB 1368, section 1(i) (emphasis added).

¹¹ SB 1368, section 1(j) (emphasis added).

¹² SB 1368, section 1(k) (emphasis added).

¹³ SB 1368, section 1(m) (emphasis added).

C. The Legislature intends the EPS to apply only to the LSE’s procurement of electricity from Powerplants serving the baseload requirements of California consumers.

The EPS can only apply to the procurement of electricity for Baseload Generation. The actual language of SB 1368, when read in harmony with Section 1, confirms that SB 1368 is centered on financial commitments involving the procurement of electricity. SB 1368 places the legal obligation to comply with the EPS *only* upon the entities that must procure electricity to serve California’s retail customers.¹⁴ The core proscriptive section of SB 1368 states as follows, in pertinent part.

“No load-serving entity . . . may enter into a long-term financial commitment unless any baseload generation supplied under the long-term financial commitment complies with the greenhouse gases emission performance standard established by the [CPUC]”¹⁵

The first independent clause in this code section makes it clear that SB 1368 prohibitions are limited to specified activities of specified entities, i.e., entering into an LTFC by an LSE. Based upon the definition of an LSE, SB 1368 does not apply to entities that do not serve retail customers in California. And, based upon the definition of an LTFC, SB 1368 does not apply to *any* short-term financial commitments.

The remaining language in this code section further limits the scope of SB 1368’s prohibition. As defined, an LTFC is either a “new ownership investment” or a “new or renewed contract with a term of 5 or more years” – both of “which *includes procurement* of baseload generation.”¹⁶ Baseload Generation is the “electricity generation *from* a powerplant”¹⁷ Therefore, the scope of the SB 1368 does not affect any electricity generated that is not procured by an LSEs (or POUs) to serve their retail customers. SB 1368 intentionally deals with a subset of the total electricity consumed in California.

SB 1368 requires the CPUC to establish an EPS stated in pounds of GHGs per MWh. The EPS is applicable to the “net emissions resulting from the production of electricity” by

¹⁴ This is consistent with the SB 1368 requirement for POUs, which also have an obligation to serve their end-use customers.

¹⁵ § 8341(a)(emphasis added).

¹⁶ § 8340(j)(emphasis added).

¹⁷ § 8340(a)(emphasis added).

certain Powerplants.¹⁸ The EPS applicability is limited by SB 1368 to only those Powerplants that are designed and intended to generate electricity at an annualized capacity factor of 60% or more.

Therefore, SB 1368 establishes a minimum performance requirement for any Baseload Generation supplied under an LTFC entered into by LSEs providing electricity to California ratepayers. **This minimum performance requirement is a GHG emissions performance standard (# of CO₂/MWh) which limits the net emissions rate (# of CO₂/MWh) of Baseload Generation (total MWh of electricity supplied) resulting from the production of the electricity from Powerplants (total # of CO₂) to no higher than the emissions rate (# of CO₂/MWh) of Baseload Generation (MWh) from a CCGT Powerplant (total # of CO₂).**¹⁹

III. CMUA’S COMMENTS ON SELECTED SECTIONS OF THE PROPOSED DECISION.

A. The Proposed Decision inappropriately supports the EPS by stating that it functions similar to an appliance efficiency standard.

In several instances, the Proposed Decision states that the CPUC EPS functions similar to an appliance efficiency standard.²⁰ This is problematical since the Proposed Decision uses the analogy to support its own conclusions but is not mentioned when the analogy would support a contrary conclusion. Primarily, the analogy is inapposite because the EPS ostensibly applies to *purchasers* while appliance efficiency standards apply only to the *manufacturers and sellers*, and accordingly, should be corrected.

The Proposed Decision must be consistent if it does choose to utilize the appliance efficiency standard analogy. For instance, appliance standards do not affect such things as existing appliances, resale of appliances, operations, repair, or whether the appliance is used in a commercial environment to serve consumers. An in-state purchaser may travel out of state to buy a non-conforming unit and then transport it back into California for in-state use. The appliance standards do not prohibit a consumer from owning and operating a non-

¹⁸ § 8341(d)(2).

¹⁹ See CMUA’s proposed changes to Finding of Fact 2.

²⁰ PD at 2, 9, 30, 89, 171 and 190; Findings of Fact 3 and 91.

conforming unit, having the non-conforming unit operating in conjunction with a conforming unit, or operating the conforming unit in a harsh environment in which the new appliance will actually operate less efficiently than the adopted standard. Nor, do the appliance standards place prescriptive rules on manufacturers at the component level. In other words, a manufacturer may design a new refrigerator using a less expensive and less efficient motor but then utilize improved insulation so that the product as a whole meets the efficiency standards. Lastly, the appliance efficiency standards expressly consider federal preemption issues and do not attempt to enter areas already regulated by federal standards.

B. Section 4.2; The EPS applies to the emissions of Baseload Generation but is only triggered if and when an LSE enters into a LTFC.

The Proposed Decision correctly provides that: (1) the EPS *applies* to the emissions of Baseload Generation; but (2) the application is only triggered if an LSE enters into an LTFC.²¹

1. Section 4.2.3; The EPS does not apply to existing utility-owned generating units.

The Proposed Decision properly limits the application of the EPS to the extent it provides that the EPS is not applicable to existing utility-owned Powerplants.²² However, the Proposed Decision errs in its definition of “a new ownership investment” and the position that the EPS may be triggered for any existing generating *units*.

a. Section 4.2.3.1; The EPS analysis is not triggered for a utility-owned Powerplant merely because the plant is operated at a baseload capacity factor.

The Proposed Decision correctly finds that the trigger for any EPS application is an LSE entering into an LTFC for Baseload Generation.²³ The actual fact that a Powerplant operates a capacity factor of 60% or more does not, in and of itself, trigger the analysis. The Proposed Decision properly recognizes that the definition of LTFC is asymmetrical and treats

²¹ PD at 35-36.

²² PD at 39-40.

²³ PD at 39.

contracts differently than utility-owned Powerplants.²⁴

- b. **Section 4.2.3.2; An LTFC should not be interpreted to include “investments” or “contracts” in which no new legal relationship is created.**

In its interpretation of the phrase “long-term financial commitment,” however, the Proposed Decision errs. According to the statute, an LTFC “means either a *new* ownership investment in baseload generation or a new or renewed contract with a term of five or more years, which includes procurement of baseload generation.”²⁵ This interpretation more closely supports the interpretation of Public Utilities Code section 8340(j) offered by Southern California Edison (“SCE”), that is that a new legal relationship must be created to constitute a new ownership investment.²⁶ CMUA, however, reaches this conclusion by partially agreeing with the grammatical explanation in the Proposed Decision.

CMUA agrees that the meaning of the dependent clause, “a new ownership investment in baseload generation,” will be changed if the order of the adjectives is switched within the clause. CMUA agrees that the word “ownership” in this dependent clause modifies the noun “investment.” Yet, the Proposed Decision failed to point out that the word “ownership” is typically a noun, which in this clause puts it in special stead to the word “investment.” A noun may be used as an adjective when it *precedes* the noun that it modifies. Hence the word “ownership” is used to describe a specific type of investment, i.e., not just any type of investment, but an investment that is the functional equivalent of ownership.

In addition to agreeing that the order of the adjectives may not be switched, CMUA also argues that none of the adjectives may be dropped from the clause without affecting the meaning. As a case in point, it is inappropriate to omit the word “ownership” and insert other words to offer supposed clarifications such as “new LSE investment.” This is not the same as a new *ownership* investment.

CMUA’s interpretation is internally consistent with the entire statute. According to the rules of statutory interpretation, Public Utilities Code section 8340(j) must be read together and in context with the entire statute before exploring extrinsic aids to determine the

²⁴ PD at 40.

²⁵ § 8340(j).

²⁶ PD at 42-46.

legislative intent.

“When construing a statute, one must “ascertain the intent of the Legislature so as to effectuate the purpose of the law. In determining such intent, a court must look first to the words of the statute themselves, giving to the language its usual, ordinary import and according significance, if possible, to every word, phrase and sentence in pursuance of the legislative purpose.””²⁷

In all cases, the words, phrases, and sentences of SB 1368 evidence a legislative intent to trigger the EPS only when an LSE *enters* into a *new legal relationship* involving the procurement of Baseload Generation (read, electricity). The essence of SB 1368 is the section stating that “[n]o load-serving entity . . . may enter into a long-term financial commitment unless any baseload generation supplied under the long-term financial commitment complies with the greenhouse gases emission performance standard established by the [CPUC]”²⁸

In other words, the test is whether or not the LSE’s action creates a *new legal relationship* involving the procurement of Baseload Generation that would not *come into existence* but for the LSE’s action. Contrary to the conclusion reached in the Proposed Decision, SB 1368 does not evidence any legislative intent to affect any legal relationships during the time they are in existence, *only the act of entering into* new legal relationships.²⁹

For example, an LTFC includes new contracts with a term of 5 or more years which include the procurement of Baseload Generation. Except by entering this new contract, the LSE would not have a *legal relationship* concerning the procurement of Baseload Generation. In the case of expiring contracts, the renewed contract would enable a *new legal relationship* for the procurement of Baseload Generation that would not exist otherwise, since the “old” legal relationship would terminate *according to the existing contract’s terms*. Moreover, SB 1368 does not, in any way, diminish or terminate the legal relationship in any existing contract.

Similarly, in the case of a new ownership investment, the LSE’s ownership investment creates a new legal relationship in Baseload Generation that includes the procurement of Baseload Generation. The usual and ordinary reading of the phrase “a new ownership

²⁷ *Bodell Construction Co. v. Trustees of Cal. State University*, 62 Cal. App. 4th 1508, 1515-1516 (1998).

²⁸ § 8341(a) (emphasis added).

²⁹ *See id.*

investment” must be interpreted as written by the Legislature. In that vein, this phrase applies only to investments that *create a new legal relationship* for the LSE involving the procurement of Baseload Generation that would not otherwise exist but for the LTFC.

Therefore, an LTFC does not include expenditures by an existing owner on existing generating units. Such things as expenditures for capacity increases to a unit, repowering a unit, converting a simple cycle unit into a combined cycle unit, maintenance, environmental upgrades, or refinancing are not new ownership investments. Equipment replacement or installations that preserve the existing owned plant are not new ownership investments. Investments to extend the life of an owned plant or to comply with other regulations are not new ownership investments because there is no new legal relationship established involving the procurement of Baseload Generation. The suggestion in the Proposed Decision that investments extending plant life longer than 5 years will trigger the EPS is not supported by any language in SB 1368 and is inconsistent with the asymmetrical definitions in LTFC. Accordingly, the Proposed Decision must be revised to correct this error.

Each of these activities has independent value to the LSE and “will reduce potential financial risk to California consumers for future pollution-control costs,” one of the very purposes of SB 1368.³⁰ These investments may actually produce both immediate and long-term benefits to California, such as reduced emissions, lower fuel consumption, additional jobs, and other benefits to California’s businesses. It is an absurd interpretation of SB 1368 that would infer a legislative intent to close existing plants rather than permit an owner to improve the plant in a time of significant forecasted load growth and insufficient generating capacity.

The Proposed Decision does properly conclude that a new ownership investment may occur when an LSE constructs a new powerplant, purchases an existing powerplant from another entity, or constructs a new unit at an existing powerplant. However, to the extent that the Proposed Decision provides that a new ownership interests exists under other circumstances, it is in error and must be corrected.

³⁰ SB 1368, section 1(i).

2. Section 4.2.4; A “deemed compliant” Powerplant is not required to demonstrate compliance with the EPS.

The Proposed Decision properly concludes that Powerplants “deemed compliant” pursuant to Public Utilities Code section 8341(d)(1) do not have to demonstrate compliance with the EPS.³¹ This is correct because these Powerplants are deemed EPS-compliant *by law* and *any* triggering event is moot for these existing Powerplants. In other words, even if an LSE enters an LTFC with a specific existing unit, that unit is deemed to comply with the EPS.

Furthermore, the Proposed Decision properly provides in proposed CPUC Rule that additional units added to the same site of a deemed compliant powerplant will trigger the EPS *for the added unit only*.³² As mentioned above, the construction of a new unit implicates “a new ownership investment” since the physical plant did not previously exist and a new legal relationship is established. Accordingly, all deemed-compliant Powerplants are properly excluded from demonstrating compliance with the EPS.

C. Section 4.3; A single EPS of 1000 lbs. CO₂/ MWh for all covered procurements is too low.

CMUA supports in their entirety the Comments of the Northern California Power Agency regarding the appropriate level of CO₂ emissions for the EPS. CMUA agrees with NCPA that the Commission should revise the PD to adopt a standard no lower than a 1,100 pounds of CO₂ /MWh, which would be consistent with the intent of SB 1368, yet would not thwart development of smaller, but necessary facilities to produce Baseload Generation.

D. Section 4.4; The EPS applies to Baseload Generation which requires a procurement of electricity.

The application of the EPS is triggered by a long-term *financial* commitment involving the procurement of electricity generation from a Powerplant. A primary purpose of SB 1368 is to “reduce the potential *financial* risk to California consumers for future pollution-control costs.”³³ If the procurement in the LTFC is unit-specific, the EPS applies to the identified unit. If the procurement in the LTFC includes non-unit specific electricity, then the

³¹ PD at 50.

³² PD at 54.

³³ SB 1368, section 1(i).

EPS must be applied to the emissions from the Powerplants included in the procured portfolio. This could be handled much like the power content label and green power programs already utilized by POUs. This would not cause an excessive administrative burden since CMUA proposes that the burden would be placed on the buyer and seller to identify the resources *financially* attributed to the LTFC.

CMUA recognizes that electrons can't be tagged, but in many cases a *financial commitment* to a subset of Powerplants may be determined. Furthermore, since SB 1368 is intended to reduce financial risk, it makes sense that unspecified resources, used to the extent allowed by resource adequacy requirements, may actually minimize future financial risk. Furthermore, system resources are considered highly reliable since if one unit in the portfolio is down, the seller is required to meet the LSE's need with another unit. This comports, possibly more than a unit-specific agreement, with the legislative declaration to "reduce potential exposure of *California consumers* to future reliability problems in electricity supplies."³⁴

E. Section 4.5; The EPS may apply to electricity produced from customer generators if it is triggered by an LSE's LTFC which includes the procurement of Baseload Generation.

The Proposed Decision errs in its conclusion that the EPS is triggered for an LSE's long-term contract to procure electricity from a customer on-site generator solely based upon the Powerplant's capacity factor. The State has recognized many reasons for encouraging customer on-site generation; these reasons have to do with promoting both statewide and local economies, increasing employment, the economical use of powerplants, and the economical and efficient use of energy (co-generation, combined heat and power). If this is curtailed, the result will be more reliance upon central station generation and transmission infrastructure, something that is clearly not intended in SB 1368.

SB 1368 defines Baseload Generation to mean the "electricity generation from a powerplant that is designed and intended to provide electricity at an annualized plant capacity factor of at least 60 percent." For a Powerplant that is owned or operated by an entity in the principal business of producing and selling electricity, the reasonable interpretation of the

³⁴ SB 1368, section 1(j).

“designed and intended” language is that Baseload Generation pertains to *all the electricity generated* from a Powerplant that is designed and intended to provide electricity to consumers at or above a 60% capacity factor. This is because the Powerplant owner/operator has ostensibly held itself out as a provider of baseload power and the LSEs procuring electricity from a specific Powerplant will knowingly incur long term risk through their LTFCs. Therefore, the Proposed Decision properly notes that the EPS analysis will be triggered for any electricity supplied under an LTFC that an LSE enters with *this* type of Powerplant.

On the contrary, the Proposed Decision errs in its conclusion that the applicability of the EPS is determined by the Powerplant’s capacity factor. When a Powerplant is owned or operated by an entity having a principal business other than producing and selling electricity, the owner/operator has not necessarily made similar representations that its primary purpose is to supply Baseload Generation that will be used for an LSE’s retail consumers. Therefore, determining whether or not the EPS applies depends upon more than just the Powerplant’s capacity factor. In this case, in determining whether an LTFC is for Baseload Generation that triggers the EPS, “the commission shall consider the design of the powerplant and the intended use of the powerplant, as determined by the commission *based upon the electricity purchase contract, . . . , [and] any procurement approval decision for the load-serving entity . . .*”³⁵

Regardless of the capacity factor of customer generation, the EPS will only be triggered if an LSE’s LTFC is intended by the LSE for use as a baseload resource to serve its retail customers. In that regard, the CPUC Rules must consider *both* the Powerplant capacity factor *and* the nature of the LSE’s electricity procurement in determining whether an EPS analysis is required. Using this procedure for customer generation is consistent with the entire statutory scheme and goals of SB 1368 since it takes into account the potential financial and reliability risks to consumers resulting from the electricity procurement by an LSE.

F. Section 4.7; The use of firming contracts is consistent with SB 1368.

CMUA supports in their entirety the Comments of the Sacramento Municipal Utility District on the issues involving firming contracts.

³⁵ § 8341(b)(4).

G. Section 4.8; The CPUC Rules must incorporate certain important principles to correctly implement SB 1368.

The CPUC Rules should be drafted to recognize certain important principles. These principles should not be pejoratively classified as exemptions, but rather added as programmatic details to accurately implement the legislative intent expressed in SB 1368 and other statutes already in existence.³⁶

1. *Section 4.8.1; The CPUC Rules must incorporate provisions recognizing the operational limitations of smaller Powerplants.*

CMUA supports in their entirety the Comments of the Northern California Power Agency on the issues involving smaller Powerplants and smaller LSEs. There are many reliability and operationally-based reasons to promote smaller powerplants. These may include local resource adequacy requirements for LSEs to meet local reliability needs. It may be distributed generation to reduce the need for transmission infrastructure or overcome transmission constraints and minimize losses. Some of these smaller plants may utilize new, state-of-the-art combined cycle technologies; however, the required operational characteristics may push the emission rate over the currently proposed 1000 # CO₂/MWh. The CPUC Rules must consider and accommodate smaller Powerplants and smaller LSEs.

2. *Section 4.8.2; The CPUC Rules must incorporate provisions for RD&D.*

CMUA believes that the Proposed Decision erroneously prohibits RD&D except experimentation with CO₂ sequestration. The CPUC Rules must include an RD&D provision that applies to all fuels and not be limited solely to sequestration projects. For example, the federal government recognizes that coal is a valuable domestic fuel and R&D activities must be encouraged to develop *combustion* technologies that will enable EPS-compliant electricity generation from coal. A significant portion of California's end-use customers are served by electricity generated from coal-fired powerplants under *existing* long-term commitments. If the CPUC Rules are to act as a near-term bridge to a load-based cap,³⁷ then the Rules must not

³⁶ These include such things as mandatory requirements for renewable portfolio standards, resource adequacy requirements, energy efficiency mandates, and the legislative declaration encouraging cogeneration.

³⁷ See PD at 2.

discourage *current expenditures* by LSEs to reduce the potential *future financial or reliability* risks to California consumers.³⁸

3. ***Section 4.8.4; The CPUC Rules should not apply to bottoming cycle cogeneration.***

CMUA disagrees with the Proposed Decision's erroneous conclusion on bottoming cycle co-generation.³⁹ This equipment, although it is a Powerplant since it does generate electricity from what would otherwise be wasted heat, is not designed and intended to provide Baseload Generation to LSEs, and accordingly, the CPUC Rules should not apply. At the very most, this type of Powerplant should be treated similarly to customer on-site generation, in which both the Powerplant capacity factor *and* the characteristics of the LSE's commitment are evaluated to determine whether the EPS is triggered.

H. **Section 4.10; CMUA supports both the pre-qualification of certain resources, including most renewable resources and technologies, and also the compilation of an EPS-compliant resource list.**

The Proposed Decision properly finds that certain renewable resources are pre-qualified as EPS-compliant.⁴⁰ Essentially, the Proposed Decision stated that only the lack of record evidence inhibited other types of resources from being pre-qualified also.⁴¹ The Proposed Decision correctly finds that if an LSE entered an LTFC for Baseload Generation from a pre-qualified resource, the LSE would not need to demonstrate compliance or seek Commission approval.⁴²

In CEC Docket 06-OIR-1, CMUA suggested that the CEC administer the compilation of an EPS-compliant resource list of generating resources designed and intended to produce Baseload Generation. In similar fashion to the pre-qualified resources in the Proposed Decision, CMUA suggests that this list will promote administrative economy for EPS implementation and reduce regulatory uncertainty for any entity procuring electricity using an

³⁸ SB 1368, section 1(i).

³⁹ PD at 86-87.

⁴⁰ PD at 102, 105.

⁴¹ PD at 103.

⁴² PD at 103.

LTFC. This list could include all deemed-compliant CCGTs, all pre-qualified renewable resources, and any other resource that provides the necessary substantiating data to the CEC. This list could even include “electricity products” that include unspecified resources as long as the net emission rate can be substantiated by the seller using a mechanism similar to a power content label.

Some resource owners may choose not to be on the list for certain reasons, therefore, CMUA does not suggest that this will necessarily be an exclusive list. The burden to produce sufficient information to be on the EPS-compliant list will be placed on the responsible entity selling Baseload Generation into the California market. However, the resources *that are placed on the list* are formally recognized as EPS-compliant by the CEC [and the CPUC], and any LSE may safely commit to these resources knowing that the CPUC will approve the LTFC⁴³ or accept its Advice Letter filing⁴⁴ *if required*. This list will also provide up-front assurance to the public and environmental groups that the LSE is acting in compliance with SB 1368.

I. Section 4.12; As required by SB 1368, the CPUC Rules must permit the use of unspecified resources in order to treat them consistently with specified resources.

CMUA supports in their entirety the Comments of the Sacramento Municipal Utility District on the issues involving unspecified resources and adds these supplementary comments. CMUA strongly disagrees with the Proposed Decision’s prohibition of unspecified resources. SB 1368 provides that “[i]n developing and implementing the greenhouse gases emission performance standard, the commission shall address long-term purchases of electricity from unspecified sources in a manner consistent with this chapter.”⁴⁵ This absolutely does not indicate the Legislature’s intent to *prohibit* the use of unspecified resources.

In several instances throughout the PD, the PD supports its position by arguing that had the Legislature intended to achieve a particular purpose, it would have explicitly done so

⁴³ This requirement is for the large investor owned utilities only.

⁴⁴ The Proposed Decision presents this compliance mechanism for ESPs and CCAs.

⁴⁵ § 8341(b)(7).

in the statutory language.⁴⁶ CMUA is perplexed as to why the PD did not follow this canon of statutory construction in regard to unspecified resources.

Particularly, SB 1368 states that “[n]o LSE may enter into a LTFC unless any Baseload Generation supplied under the LTFC complies with the GHG EPS.”⁴⁷ SB 1368 defines Baseload Generation as the *electricity generation from a baseloaded powerplant*⁴⁸ and a Powerplant as a facility used *for electricity generation*.⁴⁹ The Legislature specifically defined these terms in SB 1368 and could have clearly stated that “[n]o LSE may enter into a LTFC unless any Powerplant supplying Baseload Generation supplied under the LTFC complies with the GHG EPS”⁵⁰ if it meant to prohibit unspecified resources.

CMUA argues that none of the statutory definitions in SB 1368 indicate that the EPS must be applied *only* to a single Powerplant or unit. The EPS, in fact, applies to the *net emissions resulting from the production of electricity supplied under the LTFC* by Powerplants.⁵¹ This is consistent with the treatment of specified resources, and therefore, in harmony with the Legislature’s direction in SB 1368, and the Proposed Decision should be corrected accordingly.

J. Section 5.6; The proposed definition for “capacity factor” is reasonable.

The Proposed Decision properly defines “annualized plant capacity factor.”

K. Section 9.0; Reliability and cost considerations should be included as uniform components in the CPUC Rules.

The Proposed Decision incorrectly states that long-term commitments have no relevance to reliability. If in fact this is true for IOUs, it is not true for POUs.

⁴⁶ See e.g., PD at 43-46, 50, 59, 63, 73, 86, and 130.

⁴⁷ § 8341(a)(emphasis added).

⁴⁸ § 8340(a). For brevity, a baseloaded powerplant is the term used for a plant that is designed and intended to provide electricity at an annualized plant capacity factor of at least 60 percent.

⁴⁹ § 8340(m).

⁵⁰ § 8341(a)(insertions and strikeouts added).

⁵¹ § 8341(d)(2).

IV. PROPOSED REVISIONS

CMUA proposes that the following changes to the Findings of Fact and Conclusions of Law be made.

Findings of Fact

The following Findings of Fact should be eliminated in their entirety: 3, 6, 27, 28, 33, 34, 60, 70, 71, 74, 91 and 159. Proposed changes to additional Findings of Fact 2, 12, 17, 31, 40, 57, 60 and 63 are shown below.

2. SB 1368 establishes a minimum performance requirement for any baseload generation supplied under facility that represents a new long-term financial commitment entered into by entities providing power to California ratepayers. This minimum performance requirement is a GHG emissions performance standard, or “EPS,” which limits the ~~powerplant net~~ emissions rate of baseload generation resulting from the production of the electricity from powerplants to no higher than the emissions rate of baseload generation from a CCGT powerplant.

12. Under SB 1368, the requirement to comply with the EPS is triggered if there is a “long-term financial commitment” by an LSE to baseload generation. For LSE-owned baseloaded generation, a long-term financial commitment occurs whenever there is a “new ownership investment” which includes procurement of baseload generation. For baseload generation procured under contract, there is a long-term financial commitment when the LSE enters into a new or renewed contract with a term of five or more years.

17. Under the provisions of SB 1368, an LSE does not enter into the types of commitments with “retained generation” (i.e., existing baseload facilities owned by the LSE to serve its load) that would trigger the requirement to comply with the EPS, absent additional investment that establishes a new legal relationship.

30. An EPS trigger that identifies ~~alterations~~ the addition of a new generating unit to an existing powerplant ~~that would increase the expected level of GHG emissions from the facility over the long term~~ is consistent with the overall objectives of SB 1368.

31. This would not be accomplished by requiring that any investments for an existing generating unit such as the replacement of equipment to extend the life of the generating unit, repowers, upgrades, or addition of pollution control equipment triggers compliance with the EPS, since the plant and its operation ~~may will be improved~~ remain essentially unchanged. More importantly, this approach could reduce powerplant reliability as old parts are repaired rather than replaced.

40. Interpreting SB 1368 to mean that existing CCGTs are deemed to be permanently in compliance regardless of any subsequent changes to ~~the facilities~~ an existing generating unit is reasonable, however, would lead to absurd results, e.g., and it would not allow an LSE or non-LSE owner to circumvent the EPS simply by co-locating additional units with existing

units ~~within~~ on the same site as a previously deemed-compliant CCGT powerplant since those actions would trigger the EPS for the new generating unit.

57. Accomplishing the goals of SB 1368 and this Commission's GHG reduction policies requires looking at the characteristics and emissions of the powerplant(s) being contracted for and, ~~not just~~ the characteristics of the contracted for deliveries, ~~as some parties propose.~~

63. Once an LSE enters a long-term financial commitment to procure baseload generation from a customer generator and a customer generator decides to offer power over and above its own (or over the fence) on-site consumption to an LSE under a contract of five years or more, the baseload generation power supplied comes under Commission purview for the purposes of evaluating the LSE's (not the customer generator's) compliance with the EPS.

Conclusions of Law

Conclusions of Law 7 and 25 should be eliminated in their entirety. Proposed changes to additional Conclusions of Law 6, 9, 14, 15, 17, 26 and 46 are shown below.

6. ~~SCE's~~ The interpretation of "new ownership investment" to only encompass an investment in baseload generation that creates ~~is also~~ a new legal relationship which includes the procurement of baseload generation ownership interest is ~~not~~ reasonable for the reasons discussed in this decision, ~~and should be rejected.~~

9. For the reasons discussed in this decision, we conclude that it is reasonable and consistent with the direction of SB 1368 to apply the EPS to the following "covered procurements":

(1) New ownership investments in baseload generation which include the procurement of baseload generation made by an LSE, defined as:

(a) Investments in a new baseload powerplant (new construction), or

(b) Acquisition of new or additional ownership interest in an existing baseload powerplant previously owned by others, or

(c) ~~New investments in the LSE's own existing, non-CCGT baseload powerplants that are:~~

(i) ~~intended to extend the life of one or more units by five years or more,~~

(ii) ~~result in a net increase in the rated capacity of the powerplant, or~~

(iii) ~~intended to convert a non-baseload plant to a baseload plant, or~~

~~(d)~~ (c) Units added to a baseload ~~deemed-compliant CCGT~~ powerplant that result in an increase of 50 MW or more to the powerplant's rated

capacity (the LSE owner need only show that the added units meet the EPS), or

(2) New contract commitments (including renewal contracts) of five years or greater which include the procurement of baseload generation made by an LSE with:

(a) baseload generation facilities, unless those facilities represent deemed-compliant CCGT powerplants, or

(b) any deemed-compliant CCGT powerplant that added units resulting in an increase of 50 MW or more to the powerplant's rated capacity. (The contracting LSE need only show that the added units meet the EPS.)

14. Determining whether the EPS applies to a unit-specific contract commitment should be made based on a "facility" basis, i.e., based on the characteristics of each generating source underlying the contract, and not on the contracted-for deliveries. Determining whether the EPS applies to a contract commitment that includes unspecified resources should be made based on the portfolio characteristics of the generating sources underlying the contract. This application of the EPS will further the policy objectives of SB 1368 and is supported by the rules of statutory construction.

15. In a situation when an LSE enters a long-term financial commitment to procure baseload generation from a customer generator and a customer generator decides to offer power over and above its own (or over the fence) on-site consumption to an LSE under a contract of five years or more, the baseload generation supplied comes under Commission purview for the purposes of evaluating the LSE's (not the customer generator's) compliance and applying the EPS to the underlying facility in the case of customer generators does not exceed the Commission's jurisdiction or violate any laws, as some parties contend in this proceeding.

17. ~~For the reasons discussed in this decision~~ Except in the case of firming contracts for baseload generation from renewable resources and all hydroelectric resources, generating units utilizing different resources or technologies, no matter if they are at the same location or contracted for under the same unit-specific purchase power agreement, must each be evaluated separately for the purpose of evaluating whether the resource operates as baseload generation and, if so, whether its emissions rate complies with the EPS.

26. Subject to the caveats discussed in this decision, it is reasonable to permit requests for reliability exemptions on a case-by-case basis, ~~including reliability exemptions from the requirement that all covered procurements must be with specified resources.~~

46. For the reasons discussed in this decision, ~~our rules for demonstrating compliance with the interim EPS should not permit offsets or portfolio averaging. However,~~ nothing in today's decision should be construed as precluding consideration of offsets, portfolio

averaging, these and other compliance options in the context of Phase 2, when this Commission will be addressing the implementation of the load-based GHG emissions cap adopted in D.06-02-032.

V. CONCLUSION

CMUA asks the Commission to amend the CPUC Rules presented in the Proposed Decision to incorporate the above-mentioned changes. In addition, CMUA supports the comments of the Sacramento Municipal Utility District and the Northern California Power Agency, and CMUA recommends the incorporation of their comments in the Proposed Decision.

Dated: January 2, 2007

Respectfully submitted,



Bruce McLaughlin, Esq.
Braun & Blaising, P.C.
915 L Street, Suite 1420
Sacramento, CA 95814
(916) 326-5812
(916) 326-5813 (facsimile)
mclaughlin@braunlegal.com

Attorneys for the California Municipal Utilities Assn.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the attached:

COMMENTS OF THE CALIFORNIA MUNICIPAL UTILITIES ASSOCIATION ON THE PROPOSED DECISION FOR THE CPUC'S INTERIM EMISSIONS PERFORMANCE STANDARD

on all known parties to R.06-04-009 by transmitting an e-mail message with the document attached to each party named in the official service list. I served a copy of the document on those without e-mail addresses by mailing the document by first-class mail addressed as follows:

See attached service list

Executed this 2nd day of January 2007, at Sacramento, California.



Vicki Ferguson

Service List R.06-04-009, updated December 29, 2006

Appearance

ADRIAN PYE
ENERGY AMERICA, LLC
ONE STAMFORD PLAZA, EIGHTH FLOOR
263 TRESSER BLVD.
STAMFORD, CT 06901

KEITH R. MCCREA
ATTORNEY AT LAW
SUTHERLAND, ASBILL & BRENNAN, LLP
1275 PENNSYLVANIA AVE., N.W.
WASHINGTON, DC 20004-2415

KEVIN BOUDREAUX
CALPINE POWER AMERICA-CA, LLC
717 TEXAS AVENUE, SUITE 1000
HOUSTON, TX 77002

ERIC GUIDRY
WESTERN RESOURCE ADVOCATES
2260 BASELINE ROAD, SUITE 200
BOULDER, CO 80304

JENINE SCHENK
APS ENERGY SERVICES
400 E. VAN BUREN STREET, SUITE 750
PHOENIX, AZ 85004

DENNIS M.P. EHLING
ATTORNEY AT LAW
KIRKPATRICK & LOCKHART NICHOLSON GRAHAM
10100 SANTA MONICA BLVD., 7TH FLOOR
LOS ANGELES, CA 90067

NORMAN A. PEDERSEN
ATTORNEY AT LAW
HANNA AND MORTON, LLP
444 SOUTH FLOWER STREET, NO. 1500
LOS ANGELES, CA 90071

TIFFANY RAU
POLICY AND COMMUNICATIONS MANAGER
CARSON HYDROGEN POWER PROJECT LLC
ONE WORLD TRADE CENTER, SUITE 1600
LONG BEACH, CA 90831-1600

MAUREEN LENNON
CALIFORNIA COGENERATION COUNCIL
595 EAST COLORADO BLVD., SUITE 623
PASADENA, CA 91101

DANIEL W. DOUGLASS
ATTORNEY AT LAW
DOUGLASS & LIDDELL
21700 OXNARD STREET, SUITE 1030
WOODLAND HILLS, CA 91367

AKBAR JAZAYEIRI
DIRECTOR OF REVENUE & TARRIFFS
SOUTHERN CALIFORNIA EDISON COMPANY
2244 WALNUT GROVE AVE. ROOM 390
ROSEMEAD, CA 91770

RONALD MOORE
GOLDEN STATE WATER/BEAR VALLEY ELECTRIC
630 EAST FOOTHILL BOULEVARD
SAN DIMAS, CA 91773

RICK C. NOGER
PRAXAIR PLAINFIELD, INC.
2711 CENTERVILLE ROAD, SUITE 400
WILMINGTON, DE 19808

MICHAEL A. YUFFEE
MCDERMOTT WILL & EMERY LLP
600 THIRTEENTH STREET, N.W.
WASHINGTON, DC 20005-3096

E.J. WRIGHT
OCCIDENTAL POWER SERVICES, INC.
5 GREENWAY PLAZA, SUITE 110
HOUSTON, TX 77046

LARRY BARRETT
BARRETT CONSULTING ASSOCIATES, INC.
PO BOX 60429
COLORADO SPRINGS, CO 80960

DARRELL SOYARS
MANAGER-RESOURCE PERMITTING&STRATEGIC
SIERRA PACIFIC RESOURCES
6100 NEIL ROAD
RENO, NV 89520-0024

GREGORY KOISER
CONSTELLATION NEW ENERGY, INC.
350 SOUTH GRAND AVENUE, SUITE 3800
LOS ANGELES, CA 90071

MICHAEL MAZUR
CHIEF TECHNICAL OFFICER
3 PHASES ENERGY SERVICES, LLC
2100 SEPULVEDA BLVD., SUITE 37
MANHATTAN BEACH, CA 90266

GREGORY S.G. KLATT
DOUGLASS & LIDDELL
411 E. HUNTINGTON DRIVE, STE. 107-356
ARCADIA, CA 91006

RICHARD HELGESON
SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY
225 S. LAKE AVE., SUITE 1250
PASADENA, CA 91101

PAUL DELANEY
AMERICAN UTILITY NETWORK (A.U.N.)
10705 DEER CANYON DRIVE
ALTA LOMA, CA 91737

ANNETTE GILLIAM
ATTORNEY AT LAW
SOUTHERN CALIFORNIA EDISON COMPANY
2244 WALNUT GROVE AVENUE
ROSEMEAD, CA 91770

DAN HECHT
SEMPRA ENERGY
101 ASH STREET
SAN DIEGO, CA 92101

DANIEL A. KING
SEMPRA ENERGY
101 ASH STREET, HQ13
SAN DIEGO, CA 92101

SYMONE VONGDEUANE
SEMPRA ENERGY SOLUTIONS
101 ASH STREET, HQ09
SAN DIEGO, CA 92101-3017

BILL LYONS
CORAL POWER, LLC
4445 EASTGATE MALL, SUITE 100
SAN DIEGO, CA 92121

STEVE RAHON
DIRECTOR, TARIFF & REGULATORY ACCOUNTS
SAN DIEGO GAS & ELECTRIC COMPANY
8330 CENTURY PARK COURT, CP32C
SAN DIEGO, CA 92123-1548

LYNELLE LUND
COMMERCE ENERGY, INC.
600 ANTON BLVD., SUITE 2000
COSTA MESA, CA 92626

TAMLYN M. HUNT
ENERGY PROGRAM DIRECTOR
COMMUNITY ENVIRONMENTAL COUNCIL
26 W. ANAPAMU ST., 2/F
SANTA BARBARA, CA 93101

LAD LORENZ
V.P. REGULATORY AFFAIRS
SOUTHERN CALIFORNIA GAS COMPANY
601 VAN NESS AVENUE, SUITE 2060
SAN FRANCISCO, CA 94102

NINA SUETAKE
ATTORNEY AT LAW
THE UTILITY REFORM NETWORK
711 VAN NESS AVE., STE 350
SAN FRANCISCO, CA 94102

F. JACKSON STODDARD
CALIF PUBLIC UTILITIES COMMISSION
LEGAL DIVISION
ROOM 5040
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

EVELYN KAHL
ATTORNEY AT LAW
ALCANTAR & KAHL, LLP
120 MONTGOMERY STREET, SUITE 2200
SAN FRANCISCO, CA 94104

SEEMA SRINIVASAN
ATTORNEY AT LAW
ALCANTAR & KAHL, LLP
120 MONTGOMERY STREET, SUITE 2200
SAN FRANCISCO, CA 94104

LISA G. URICK
ATTORNEY AT LAW
SAN DIEGO GAS & ELECTRIC COMPANY
101 ASH STREET
SAN DIEGO, CA 92101

THEODORE ROBERTS
ATTORNEY AT LAW
SEMPRA GLOBAL
101 ASH STREET, HQ 13D
SAN DIEGO, CA 92101-3017

THOMAS DARTON
PILOT POWER GROUP, INC.
9320 CHESAPEAKE DRIVE, SUITE 112
SAN DIEGO, CA 92123

GLORIA BRITTON
ANZA ELECTRIC COOPERATIVE, INC.
58470 HWY 371
PO BOX 391909
ANZA, CA 92539

GEORGE HANSON
DEPARTMENT OF WATER AND POWER
CITY OF CORONA
730 CORPORATION YARD WAY
CORONA, CA 92880

JEANNE M. SOLE
DEPUTY CITY ATTORNEY
CITY AND COUNTY OF SAN FRANCISCO
1 DR. CARLTON B. GOODLETT PLACE, RM. 234
SAN FRANCISCO, CA 94102

MARCEL HAWIGER
THE UTILITY REFORM NETWORK
711 VAN NESS AVENUE, SUITE 350
SAN FRANCISCO, CA 94102

DIANA L. LEE
CALIF PUBLIC UTILITIES COMMISSION
LEGAL DIVISION
ROOM 4300
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

AUDREY CHANG
NATURAL RESOURCES DEFENSE COUNCIL
111 SUTTER STREET, 20TH FLOOR
SAN FRANCISCO, CA 94104

MICHAEL P. ALCANTAR
ATTORNEY AT LAW
ALCANTAR & KAHL, LLP
120 MONTGOMERY STREET, SUITE 2200
SAN FRANCISCO, CA 94104

CHRISTOPHER J. WARNER
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET
SAN FRANCISCO, CA 94105

EDWARD G POOLE
ANDERSON DONOVAN & POOLE
601 CALIFORNIA STREET SUITE 1300
SAN FRANCISCO, CA 94108

JAMES D. SQUERI
ATTORNEY AT LAW
GOODIN MACBRIDE SQUERI RITCHIE & DAY LLP
505 SANSOME STREET, STE 900
SAN FRANCISCO, CA 94111

KAREN BOWEN
ATTORNEY AT LAW
WINSTON & STRAWN LLP
101 CALIFORNIA STREET
SAN FRANCISCO, CA 94111

JEFFREY P. GRAY
DAVIS WRIGHT TREMAINE, LLP
505 MONTGOMERY STREET, SUITE 800
SAN FRANCISCO, CA 94111-6533

LARS KVALE
CENTER FOR RESOURCE SOLUTIONS
PRESIDIO BUILDING 97
PO BOX 39512
SAN FRANCISCO, CA 94129

ANDREA WELLER
STRATEGIC ENERGY
3130 D BALFOUR RD., SUITE 290
BRENTWOOD, CA 94513

KERRY HATTEVIK
MIRANT CORPORATION
696 WEST 10TH STREET
PITTSBURG, CA 94565

WILLIAM H. BOOTH
ATTORNEY AT LAW
LAW OFFICES OF WILLIAM H. BOOTH
1500 NEWELL AVENUE, 5TH FLOOR
WALNUT CREEK, CA 94596

J. ANDREW HOERNER
REDEFINING PROGRESS
1904 FRANKLIN STREET
OAKLAND, CA 94612

CLIFF CHEN
UNION OF CONCERNED SCIENTIST
2397 SHATTUCK AVENUE, STE 203
BERKELEY, CA 94704

JOHN GALLOWAY
UNION OF CONCERNED SCIENTISTS
2397 SHATTUCK AVENUE, SUITE 203
BERKELEY, CA 94704

BARRY F. MCCARTHY
ATTORNEY AT LAW
MCCARTHY & BERLIN, LLP
100 PARK CENTER PLAZA, SUITE 501
SAN JOSE, CA 95113

JOY A. WARREN
ATTORNEY AT LAW
MODESTO IRRIGATION DISTRICT
PO BOX 4060
MODESTO, CA 95352

BRIAN T. CRAGG
ATTORNEY AT LAW
GOODIN, MACBRIDE, SQUERI, RITCHIE & DAY
505 SANSOME STREET, SUITE 900
SAN FRANCISCO, CA 94111

JOSEPH M. KARP
ATTORNEY AT LAW
WINSTON & STRAWN LLP
101 CALIFORNIA STREET
SAN FRANCISCO, CA 94111

LISA A. COTTLE
ATTORNEY AT LAW
WINSTON & STRAWN LLP
101 CALIFORNIA STREET, 39TH FLOOR
SAN FRANCISCO, CA 94111

SARA STECK MYERS
ATTORNEY AT LAW
122 28TH AVENUE
SAN FRANCISCO, CA 94121

BRIAN K. CHERRY
DIRECTOR REGULATORY RELATIONS
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 770000 MC B10C
SAN FRANCISCO, CA 94177-0001

JENNIFER CHAMBERLIN
STRATEGIC ENERGY, LLC
3130 D BALFOUR ROAD, STE 290
BRENTWOOD, CA 94513

AVIS KOWALEWSKI
CALPINE CORPORATION
3875 HOPYARD ROAD, SUITE 345
PLEASANTON, CA 94588

WILLIAM H. CHEN
CONSTELLATION NEW ENERGY, INC.
2175 N. CALIFORNIA BLVD., SUITE 300
WALNUT CREEK, CA 94596

JANILL RICHARDS
DEPUTY ATTORNEY GENERAL
CALIFORNIA ATTORNEY GENERAL'S OFFICE
1515 CLAY STREET, 20TH FLOOR
OAKLAND, CA 94702

GREGG MORRIS
GREEN POWER INSTITUTE
2039 SHATTUCK AVENUE, STE 402
BERKELEY, CA 94704

R. THOMAS BEACH
CROSSBORDER ENERGY
2560 NINTH STREET, SUITE 213A
BERKELEY, CA 94710

C. SUSIE BERLIN
ATTORNEY AT LAW
MC CARTHY & BERLIN, LLP
100 PARK CENTER PLAZA, SUITE 501
SAN JOSE, CA 95113

JOHN JENSEN
PRESIDENT
MOUNTAIN UTILITIES
PO BOX 205
KIRKWOOD, CA 95646

MARY LYNCH
CONSTELLATION ENERGY COMMODITIES GROUP
2377 GOLD MEDAL WAY
GOLD RIVER, CA 95670

LEONARD DEVANNA
EXECUTIVE VICE PRESIDENT
CLEAN ENERGY SYSTEMS, INC.
11330 SUNCO DRIVE, SUITE A
RANCHO CORDOVA, CA 95742

ANDREW BROWN
ATTORNEY AT LAW
ELLISON, SCHNEIDER & HARRIS, LLP
2015 H STREET
SACRAMENTO, CA 95814

BRUCE MCLAUGHLIN
BRAUN & BLAISING, P.C.
915 L STREET, SUITE 1420
SACRAMENTO, CA 95814

GREGGORY L. WHEATLAND
ATTORNEY AT LAW
ELLISON, SCHNEIDER & HARRIS, LLP
2015 H STREET
SACRAMENTO, CA 95814

JANE E. LUCKHARDT
ATTORNEY AT LAW
DOWNEY BRAND LLP
555 CAPITOL MALL, 10TH FLOOR
SACRAMENTO, CA 95814

JEDEDIAH J. GIBSON
ATTORNEY AT LAW
ELLISON, SCHNEIDER & HARRIS LLP
2015 H STREET
SACRAMENTO, CA 95814

VIRGIL WELCH
CLIMATE CAMPAIGN COORDINATOR
ENVIRONMENTAL DEFENSE
1107 9TH STREET, SUITE 540
SACRAMENTO, CA 95814

WILLIAM W. WESTERFIELD, III
ATTORNEY AT LAW
ELLISON, SCHNEIDER & HARRIS L.L.P.
2015 H STREET
SACRAMENTO, CA 95814

ANN L. TROWBRIDGE
ATTORNEY AT LAW
DAY CARTER & MURPHY, LLP
3620 AMERICAN RIVER DRIVE, SUITE 205
SACRAMENTO, CA 95864

DAN SILVERIA
SURPRISE VALLEY ELECTRIC COOPERATIVE
PO BOX 691
ALTURAS, CA 96101

JESSICA NELSON
PLUMAS-SIERRA RURAL ELECTRIC CO-OP
73233 STATE ROUTE 70, STE A
PORTOLA, CA 96122-7064

DONALD BROOKHYSER
ALCANTAR & KAHL
1300 SW FIFTH AVE., SUITE 1750
PORTLAND, OR 97210

KYLE L. DAVIS
PACIFICORP
825 NE MULTNOMAH,
PORTLAND, OR 97232

NATALIE HOCKEN, ESQ.
PACIFICORP
LLOYD CENTER TOWER
825 NE MULTNOMAH
PORTLAND, OR 97232

SHAY LABRAY
MANAGER, REGULATORY
PACIFICORP
825 NE MULTNOMAH, SUITE 2000
PORTLAND, OR 97232

KELLY NORWOOD
RATES AND REGULATION DEPARTMENT
AVISTA UTILITIES
PO BOX 3727, MSC-29
SPOKANE, WA 99220-3727

IAN CARTER
POLICY COORDINATOR-NORTH AMERICA
INTERNATIONAL EMISSIONS TRADING ASSN.
350 SPARKS STREET, STE. 809
OTTAWA, ON K1R 7S8
CANADA

Information Only

CAROL JOLLY
PO BOX 585
CHESTERFIELD, MA 01012

BRIAN M. JONES
M. J. BRADLEY & ASSOCIATES, INC.
47 JUNCTION SQUARE DRIVE
CONCORD, MA 01742

RICHARD COWART
REGULATORY ASSISTANCE PROJECT
50 STATE STREET, SUITE 3
MONTPELIER, VT 05602

STEVEN S. SCHLEIMER
DIRECTOR, COMPLIANCE & REGULATORY AFFAIRS
BARCLAYS BANK, PLC
200 PARK AVENUE, FIFTH FLOOR
NEW YORK, NY 10166

STEVEN HUHMANN
MORGAN STANLEY CAPITAL GROUP INC.
2000 WESTCHESTER AVENUE
PURCHASE, NY 10577

ERIN M. MURPHY
MCDERMOTT WILL & EMERY LLP
600 THIRTEENTH STREET, N.W.
WASHINGTON, DC 20005

DALLAS BURTRAW
1616 P STREET, NW
WASHINGTON, DC 20036

LISA DECKER
COUNSEL
CONSTELLATION ENERGY GROUP, INC.
111 MARKET PLACE, SUITE 500
BALTIMORE, MD 21202

CATHY S. WOOLLUMS
MIDAMERICAN ENERGY HOLDINGS COMPANY
106 EAST SECOND STREET
DAVENPORT, IA 52801

JAMES ROSS
RCS, INC.
500 CHESTERFIELD CENTER, SUITE 320
CHESTERFIELD, MO 63017

PAUL M. SEBY
MCKENNA LONG & ALDRIDGE LLP
1875 LAWRENCE STREET, SUITE 200
DENVER, CO 80202

KEVIN J. SIMONSEN
ENERGY MANAGEMENT SERVICES
646 EAST THIRD AVENUE
DURANGO, CO 81301

DOUGLAS BROOKS
NEVADA POWER COMPANY
SIERRA PACIFIC POWER COMPANY
6226 WEST SAHARA AVENUE
LAS VEGAS, NV 89151

ELENA MELLO
SIERRA PACIFIC POWER COMPANY
6100 NEIL ROAD
RENO, NV 89520

FRANK LUCHETTI
NEVADA DIV. OF ENVIRONMENTAL PROTECTION
901 S. STEWART ST., SUITE 4001
CARSON CITY, NV 89701

RASHA PRINCE
SAN DIEGO GAS & ELECTRIC
555 WEST 5TH STREET, GT14D6
LOS ANGELES, CA 90013

MICHAEL MCCORMICK
CALIFORNIA CLIMATE ACTION REGISTRY
515 S. FLOWER ST. SUITE 1640
LOS ANGELES, CA 90071

HARVEY EDER
PUBLIC SOLAR POWER COALITION
1218 12TH ST., 25
SANTA MONICA, CA 90401

STEVE ENDO
EPARTMENT OF WATER & POWER
45 EAST GLENARM STREET
PASADENA, CA 91105

VERONIQUE BUGNION
POINT CARBON
205 SEVERN RIVER RD
SEVERNA PARK, MD 21146

KYLE D. BOUDREAUX
FPL GROUP
700 UNIVERSE BLVD., JES/JB
JUNO BEACH, FL 33408

BRIAN POTTS
SUITE 700
ONE SOUTH PINCKNEY STREET
MADISON, WI 53703

GARY HINNERS
RELIANT ENERGY, INC.
PO BOX 148
HOUSTON, TX 77001-0148

TIMOTHY R. ODIL
MCKENNA LONG & ALDRIDGE LLP
1875 LAWRENCE STREET, SUITE 200
DENVER, CO 80202

BRIAN MCQUOWN
RELIANT ENERGY
7251 AMIGO ST., SUITE 120
LAS VEGAS, NV 89119

CYNTHIA MITCHELL
ENERGY ECONOMICS, INC.
530 COLGATE COURT
RENO, NV 89503

TREVOR DILLARD
SIERRA PACIFIC POWER COMPANY
6100 NEIL ROAD
RENO, NV 89520

ROBERT L. PETTINATO
LOS ANGELES DEPARTMENT OF WATER & POWER
111 NORTH HOPE STREET, SUITE 1150
LOS ANGELES, CA 90012

CURTIS L. KEBLER
GOLDMAN, SACHS & CO.
2121 AVENUE OF THE STARS
LOS ANGELES, CA 90067

MIKE SANDLER
4731 LA VILLA MARINA, UNIT B
MARINA DEL REY, CA 90292

RACHEL MCMAHON
SENIOR POLICY ASSOCIATE
GLOBAL GREEN USA
2218 MAIN STREET
SANTA MONICA, CA 90404

STEVEN G. LINS
CITY OF GLENDALE
OFFICE OF THE CITY ATTORNEY
613 EAST BROADWAY, SUITE 220
GLENDALE, CA 91206-4394

TOM HAMILTON
MANAGING PARTNER
ENERGY CONCIERGE SERVICES
321 MESA LILA RD
GLENDALE, CA 91208

ROGER PELOTE
THE WILLIAMS COMPANY, INC.
12736 CALIFA STREET
VALLEY VILLAGE, CA 91607

TIM HEMIG
NRG ENERGY, INC.
1819 ASTON AVENUE, SUITE 105
CARLSBAD, CA 92008

ADRIAN E. SULLIVAN
SEMPRA ENERGY
REGULATORY LAW DEPARTMENT
101 ASH STREET, HQ13D
SAN DIEGO, CA 92101

DONALD C. LIDDELL, P.C.
DOUGLASS & LIDDELL
2928 2ND AVENUE
SAN DIEGO, CA 92103

JOHN LAUN
APOGEE INTERACTIVE, INC.
1220 ROSECRANS ST., SUITE 308
SAN DIEGO, CA 92106

ORLANDO B. FOOTE, III
ATTORNEY AT LAW
HORTON, KNOX, CARTER & FOOTE
895 BROADWAY, SUITE 101
EL CENTRO, CA 92243

JAN PEPPER
CLEAN POWER MARKETS, INC.
PO BOX 3206
418 BENVENUE AVENUE
LOS ALTOS, CA 94024

MARC D. JOSEPH
ADAMS BRADWELL JOSEPH & CARDOZO
601 GATEWAY BLVD. STE 1000
SOUTH SAN FRANCISCO, CA 94080

HAYLEY GOODSON
ATTORNEY AT LAW
THE UTILITY REFORM NETWORK
711 VAN NESS AVENUE, SUITE 350
SAN FRANCISCO, CA 94102

MICHEL FLORIO
ATTORNEYS AT LAW
711 VAN NESS AVE., STE. 350
SAN FRANCISCO, CA 94102

DAN ADLER
DIRECTOR, TECH AND POLICY DEVELOPMENT
CALIFORNIA CLEAN ENERGY FUND
582 MARKET ST., SUITE 1015
SAN FRANCISCO, CA 94104

BRUNO JEIDER
BURBANK WATER & POWER
164 WEST MAGNOLIA BLVD.
BURBANK, CA 91502

CASE ADMINISTRATION
SOUTHERN CALIFORNIA EDISON COMPANY
2244 WALNUT GROVE AVE., RM. 370
ROSEMEAD, CA 91770

BARRY LOVELL
15708 POMERADO RD., SUITE 203
POWAY, CA 92064

AIMEE M. SMITH
ATTORNEY AT LAW
SEMPRA ENERGY
101 ASH STREET HQ13
SAN DIEGO, CA 92101

YVONNE GROSS
REGULATORY POLICY MANAGER
SEMPRA ENERGY
HQ08C
101 ASH STREET
SAN DIEGO, CA 92103

JOHN W. LESLIE
ATTORNEY AT LAW
LUCE, FORWARD, HAMILTON & SCRIPPS, LLP
11988 EL CAMINO REAL, SUITE 200
SAN DIEGO, CA 92130

ELSTON K. GRUBAUGH
IMPERIAL IRRIGATION DISTRICT
333 EAST BARIONI BLVD.
IMPERIAL, CA 92251

GLORIA D. SMITH
ADAMS, BROADWELL, JOSEPH & CARDOZO
601 GATEWAY BLVD., SUITE 1000
SOUTH SAN FRANCISCO, CA 94080

DIANE I. FELLMAN
ATTORNEY AT LAW
LAW OFFICES OF DIANE I. FELLMAN
234 VAN NESS AVENUE
SAN FRANCISCO, CA 94102

MATTHEW FREEDMAN
ATTORNEY AT LAW
THE UTILITY REFORM NETWORK
711 VAN NESS AVENUE, SUITE 350
SAN FRANCISCO, CA 94102

MICHAEL A. HYAMS
POWER ENTERPRISE-REGULATORY AFFAIRS
SAN FRANCISCO PUBLIC UTILITIES COMM
1155 MARKET ST., 4TH FLOOR
SAN FRANCISCO, CA 94103

DEVRA WANG
NATURAL RESOURCES DEFENSE COUNCIL
111 SUTTER STREET, 20TH FLOOR
SAN FRANCISCO, CA 94104

KAREN TERRANOVA
ALCANTAR & KAHL, LLP
120 MONTGOMERY STREET, STE 2200
SAN FRANCISCO, CA 94104

OLOF BYSTROM
DIRECTOR, WESTERN ENERGY
CAMBRIDGE ENERGY RESEARCH ASSOCIATES
555 CALIFORNIA STREET, 3RD FLOOR
SAN FRANCISCO, CA 94104

COLIN PETHERAM
DIRECTOR-REGULATORY
SBC CALIFORNIA
140 NEW MONTGOMERY ST., SUITE 1325
SAN FRANCISCO, CA 94105

STEPHANIE LA SHAWN
PACIFIC GAS AND ELECTRIC COMPANY
MAIL CODE B9A
77 BEALE STREET, RM. 996B
SAN FRANCISCO, CA 94105

CALIFORNIA ENERGY MARKETS
517-B POTRERO AVENUE
SAN FRANCISCO, CA 94110

HOWARD V. GOLUB
NIXON PEABODY LLP
2 EMBARCADERO CENTER, STE. 2700
SAN FRANCISCO, CA 94111

JOSEPH F. WIEDMAN
ATTORNEY AT LAW
GOODIN MACBRIDE SQUERI RITCHIE & DAY, LLP
505 SANSOME STREET, SUITE 900
SAN FRANCISCO, CA 94111

CHRISTOPHER A. HILEN
ATTORNEY AT LAW
DAVIS WRIGHT TREMAINE LLP
505 MONTGOMERY STREET, SUITE 800
SAN FRANCISCO, CA 94111-6533

LISA WEINZIMER
CALIFORNIA ENERGY REPORTER
PLATTS
695 NINTH AVENUE, NO. 2
SAN FRANCISCO, CA 94118

SHAUN ELLIS
2183 UNION STREET
SAN FRANCISCO, CA 94123

DAREN CHAN
PO BOX 770000, MAIL CODE B9A
SAN FRANCISCO, CA 94177

GRACE LIVINGSTON-NUNLEY
ASSISTANT PROJECT MANAGER
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 770000 MAIL CODE B9A
SAN FRANCISCO, CA 94177

NORA SHERIFF
ATTORNEY AT LAW
ALCANTAR & KAHL, LLP
120 MONTGOMERY STREET, SUITE 2200
SAN FRANCISCO, CA 94104

SHERYL CARTER
NATURAL RESOURCES DEFENSE COUNCIL
111 SUTTER STREET, 20TH FLOOR
SAN FRANCISCO, CA 94104

KHURSHID KHOJA
ASSOCIATE
THELEN REID BROWN RAYSMAN & STEINER
101 SECOND STREET, SUITE 1800
SAN FRANCISCO, CA 94105

NORMAN J. FURUTA
FEDERAL EXECUTIVE AGENCIES
333 MARKET STREET, 10TH FLOOR, MS 1021A
SAN FRANCISCO, CA 94105-2195

ANN G. GRIMALDI
MCKENNA LONG & ALDRIDGE LLP
101 CALIFORNIA STREET, 41ST FLOOR
SAN FRANCISCO, CA 94111

JANINE L. SCANCARELLI
FOLGER LEVIN & KAHN LLP
275 BATTERY STREET, 23RD FLOOR
SAN FRANCISCO, CA 94111

MARTIN A. MATTES
NOSSAMAN, GUTHNER, KNOX & ELLIOTT, LLP
50 CALIFORNIA STREET, 34TH FLOOR
SAN FRANCISCO, CA 94111

JEN MCGRAW
CENTER FOR NEIGHBORHOOD TECHNOLOGY
PO BOX 14322
SAN FRANCISCO, CA 94114

STEVEN MOSS
SAN FRANCISCO COMMUNITY POWER COOP
2325 3RD STREET, SUITE 344
SAN FRANCISCO, CA 94120

ARNO HARRIS
RECURRENT ENERGY, INC.
220 HALLECK ST., SUITE 220
SAN FRANCISCO, CA 94129

ED LUCHA
PROJECT COORDINATOR
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 770000, MAIL CODE: B9A
SAN FRANCISCO, CA 94177

JASMIN ANSAR
PG&E
MAIL CODE B24A
PO BOX 770000
SAN FRANCISCO, CA 94177

JONATHAN FORRESTER
PG&E
MAIL CODE N13C
PO BOX 770000
SAN FRANCISCO, CA 94177

SOUMYA SASTRY
PACIFIC GAS AND ELECTRIC COMPANY
MAIL CODE B9A
PO BOX 770000
SAN FRANCISCO, CA 94177

GREG BLUE
140 MOUNTAIN PKWY.
CLAYTON, CA 94517

JOSEPH M. PAUL
SENIOR CORPORATE COUNSEL
DYNEGY, INC.
2420 CAMINO RAMON, SUITE 215
SAN RAMON, CA 94583

WILLIAM F. DIETRICH
ATTORNEY AT LAW
DIETRICH LAW
2977 YGNACIO VALLEY ROAD, 613
WALNUT CREEK, CA 94598-3535

MRW & ASSOCIATES, INC.
1814 FRANKLIN STREET, SUITE 720
OAKLAND, CA 94612

REED V. SCHMIDT
VICE PRESIDENT
BARTLE WELLS ASSOCIATES
1889 ALCATRAZ AVENUE
BERKELEY, CA 94703

BRENDA LEMAY
DIRECTOR OF PROJECT DEVELOPMENT
HORIZON WIND ENERGY
1600 SHATTUCK, SUITE 222
BERKELEY, CA 94709

RYAN WISER
BERKELEY LAB
MS-90-4000
ONE CYCLOTRON ROAD
BERKELEY, CA 94720

CARL PECHMAN
POWER ECONOMICS
901 CENTER STREET
SANTA CRUZ, CA 95060

MAHLON ALDRIDGE
ECOLOGY ACTION
PO BOX 1188
SANTA CRUZ, CA 95060

RICHARD SMITH
MODESTO IRRIGATION DISTRICT
1231 11TH STREET
MODESTO, CA 95352-4060

SEBASTIEN CSAPO
PROJECT MANAGER
PACIFIC GAS AND ELECTRIC COMPANY
MAIL CODE B9A
PO BOX 770000
SAN FRANCISCO, CA 94177

VALERIE J. WINN
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 770000, B9A
SAN FRANCISCO, CA 94177-0001

ANDREW J. VAN HORN
VAN HORN CONSULTING
12 LIND COURT
ORINDA, CA 94563

MONICA A. SCHWEBS, ESQ.
BINGHAM MCCUTCHEN LLP
SUITE 210
1333 N. CALIFORNIA BLVD.
WALNUT CREEK, CA 94596

JODY S. LONDON
JODY LONDON CONSULTING
PO BOX 3629
OAKLAND, CA 94609

CARLA PETERMAN
1815 BLAKE ST., APT. A
BERKELEY, CA 94703

CLYDE MURLEY
CONSULTANT
600 SAN CARLOS AVENUE
ALBANY, CA 94706

EDWARD VINE
LAWRENCE BERKELEY NATIONAL LABORATORY
BUILDING 90-4000
BERKELEY, CA 94720

PHILLIP J. MULLER
SCD ENERGY SOLUTIONS
436 NOVA ALBION WAY
SAN RAFAEL, CA 94903

KENNY SWAIN
POWER ECONOMICS
901 CENTER STREET
SANTA CRUZ, CA 95060

ERIC WANLESS
NATURAL RESOURCES DEFENSE COUNCIL
111 SUTTER STREET, 20TH FLOOR
SAN FRANCISCO, CA 95104

CHRISTOPHER J. MAYER
MODESTO IRRIGATION DISTRICT
1231 11TH STREET
MODESTO, CA 95354

ROGER VANHOY
MODESTO IRRIGATION DISTRICT
1231 11TH STREET
MODESTO, CA 95354

JOHN R. REDDING
ARCTURUS ENERGY CONSULTING
44810 ROSEWOOD TERRACE
MENDOCINO, CA 95460

RICHARD MCCANN, PH.D
M. CUBED
2655 PORTAGE BAY, SUITE 3
DAVIS, CA 95616

CALIFORNIA ISO
LEGAL AND REGULATORY DEPARTMENT
151 BLUE RAVINE ROAD
FOLSOM, CA 95630

DAVID BRANCHCOMB
BRANCHCOMB ASSOCIATES, LLC
9360 OAKTREE LANE
ORANGEVILLE, CA 95662

ELLEN WOLFE
RESERO CONSULTING
9289 SHADOW BROOK PL.
GRANITE BAY, CA 95746

CURT BARRY
717 K STREET, SUITE 503
SACRAMENTO, CA 95814

EDWARD J. TIEDEMANN
ATTORNEY AT LAW
KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
400 CAPITOL MALL, 27TH FLOOR
SACRAMENTO, CA 95814-4416

BALWANT S. PUREWAL
DEPARTMENT OF WATER RESOURCES
3310 EL CAMINO AVE., LL-90
SACRAMENTO, CA 95821

KAREN NORENE MILLS
ATTORNEY AT LAW
CALIFORNIA FARM BUREAU FEDERATION
2300 RIVER PLAZA DRIVE
SACRAMENTO, CA 95833

DENISE HILL
DIRECTOR
4004 KRUSE WAY PLACE, SUITE 150
LAKE OSWEGO, OR 97035

KEVIN FOX
STOEL RIVES LLP
900 SW FIFTH AVENUE, SUITE 2600
PORTLAND, OR 97204

ALAN COMNES
WEST COAST POWER
3934 SE ASH STREET
PORTLAND, OR 97214

BARBARA R. BARKOVICH
BARKOVICH & YAP, INC.
44810 ROSEWOOD TERRACE
MENDOCINO, CA 95460

CLARK BERNIER
RLW ANALYTICS
1055 BROADWAY, SUITE G
SONOMA, CA 95476

CAROLYN M. KEHREIN
ENERGY MANAGEMENT SERVICES
1505 DUNLAP COURT
DIXON, CA 95620-4208

SAEED FARROKHPAY
FEDERAL ENERGY REGULATORY COMMISSION
110 BLUE RAVINE RD., SUITE 107
FOLSOM, CA 95630

SCOTT TOMASHEFSKY
NORTHERN CALIFORNIA POWER AGENCY
180 CIRBY WAY
ROSEVILLE, CA 95678-6420

AUDRA HARTMANN
LS POWER GENERATION
980 NINTH STREET, SUITE 1420
SACRAMENTO, CA 95814

STEVEN KELLY
INDEPENDENT ENERGY PRODUCERS ASSN
1215 K STREET, SUITE 900
SACRAMENTO, CA 95814-3947

LYNN HAUG
ELLISON, SCHNEIDER & HARRIS, LLP
2015 H STREET
SACRAMENTO, CA 95816

HOLLY B. CRONIN
STATE WATER PROJECT OPERATIONS DIV
CALIFORNIA DEPARTMENT OF WATER RESOURCES
PO BOX 219000
3310 EL CAMINO AVE., LL-90
SACRAMENTO, CA 95821

KAREN LINDH
LINDH & ASSOCIATES
7909 WALERGA ROAD, NO. 112, PMB119
ANTELOPE, CA 95843

ALEXIA C. KELLY
THE CLIMATE TRUST
65 SW YAMHILL STREET, SUITE 400
PORTLAND, OR 97204

ANNIE STANGE
ALCANTAR & KAHL
1300 SW FIFTH AVE., SUITE 1750
PORTLAND, OR 97210

MARK C. TREXLER
TREXLER CLIMATE+ENERGY SERVICES, INC.
529 SE GRAND AVE, M SUITE 300
PORTLAND, OR 97214-2232

SAM SADLER
OREGON DEPARTMENT OF ENERGY
625 NE MARION STREET
SALEM, OR 97301-3737

LISA SCHWARTZ
SENIOR ANALYST
ORGEON PUBLIC UTILITY COMMISSION
PO BOX 2148
SALEM, OR 97308-2148

JESUS ARREDONDO
NRG ENERGY INC.
4600 CARLSBAD BLVD.
CARLSBAD, CA 99208

KAREN MCDONALD
POWEREX CORPORATION
1400,
666 BURRAND STREET
VANCOUVER, BC V6C 2X8
CANADA

State Service

JAMES LOEWEN
CALIF PUBLIC UTILITIES COMMISSION
RATEMAKING BRANCH
320 WEST 4TH STREET SUITE 500
LOS ANGELES, CA 90013

CHARLOTTE TERKEURST
CALIF PUBLIC UTILITIES COMMISSION
DIVISION OF ADMINISTRATIVE LAW JUDGES
ROOM 5117
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

CHRISTINE S. TAM
CALIF PUBLIC UTILITIES COMMISSION
ELECTRICITY RESOURCES & PRICING BRANCH
ROOM 4209
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

DONALD R. SMITH
CALIF PUBLIC UTILITIES COMMISSION
ELECTRICITY RESOURCES & PRICING BRANCH
ROOM 4209
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

ED MOLDAVSKY
CALIF PUBLIC UTILITIES COMMISSION
LEGAL DIVISION
ROOM 5125
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

EUGENE CADENASSO
CALIF PUBLIC UTILITIES COMMISSION
RATEMAKING BRANCH
AREA 4-A
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

HARVEY Y. MORRIS
CALIF PUBLIC UTILITIES COMMISSION
LEGAL DIVISION
ROOM 5036
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

JACLYN MARKS
CALIF PUBLIC UTILITIES COMMISSION
DIVISION OF STRATEGIC PLANNING
ROOM 5119
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

GEORGE S. TAGNIPES
CALIF PUBLIC UTILITIES COMMISSION
ENERGY RESOURCES BRANCH
AREA 4-A
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

JOEL T. PERLSTEIN
CALIF PUBLIC UTILITIES COMMISSION
LEGAL DIVISION
ROOM 5133
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

JONATHAN LAKRITZ
CALIF PUBLIC UTILITIES COMMISSION
DIVISION OF ADMINISTRATIVE LAW JUDGES
ROOM 5020
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

JUDITH IKLE
CALIF PUBLIC UTILITIES COMMISSION
ENERGY RESOURCES BRANCH
ROOM 4012
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

JULIE A. FITCH
CALIF PUBLIC UTILITIES COMMISSION
DIVISION OF STRATEGIC PLANNING
ROOM 5203
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

KRISTIN RALFF DOUGLAS
CALIF PUBLIC UTILITIES COMMISSION
DIVISION OF STRATEGIC PLANNING
ROOM 5119
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

LAINIE MOTAMEDI
CALIF PUBLIC UTILITIES COMMISSION
DIVISION OF STRATEGIC PLANNING
ROOM 5119
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

MATTHEW DEAL
CALIF PUBLIC UTILITIES COMMISSION
ENERGY RESOURCES BRANCH
AREA 4-A
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

MEG GOTTSTEIN
CALIF PUBLIC UTILITIES COMMISSION
DIVISION OF ADMINISTRATIVE LAW JUDGES
ROOM 2106
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

NANCY RYAN
CALIF PUBLIC UTILITIES COMMISSION
EXECUTIVE DIVISION
ROOM 5217
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

SUZY HONG
CALIF PUBLIC UTILITIES COMMISSION
LEGAL DIVISION
ROOM 5037
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

BILL LOCKYER
STATE ATTORNEY GENERAL
STATE OF CALIFORNIA, DEPT OF JUSTICE
PO BOX 944255
SACRAMENTO, CA 94244-2550

JUDITH B. SANDERS
ATTORNEY AT LAW
CALIFORNIA INDEPENDENT SYSTEM OPERATOR
151 BLUE RAVINE ROAD
FOLSOM, CA 95630

MARY MCDONALD
DIRECTOR OF STATE AFFAIRS
CALIFORNIA INDEPENDENT SYSTEM OPERATOR
151 BLUE RAVINE ROAD
FOLSOM, CA 95630

MICHAEL SCHEIBLE
DEPUTY EXECUTIVE OFFICER
CALIFORNIA AIR RESOURCES BOARD
1001 I STREET
SACRAMENTO, CA 95677

B. B. BLEVINS
EXECUTIVE DIRECTOR
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET, MS-39
SACRAMENTO, CA 95814

DON SCHULTZ
CALIF PUBLIC UTILITIES COMMISSION
ELECTRICITY RESOURCES & PRICING BRANCH
770 L STREET, SUITE 1050
SACRAMENTO, CA 95814

LISA DECARLO
STAFF COUNSEL
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET MS-14
SACRAMENTO, CA 95814

MERIDETH STERKEL
CALIF PUBLIC UTILITIES COMMISSION
ENERGY RESOURCES BRANCH
AREA 4-A
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

SARA M. KAMINS
CALIF PUBLIC UTILITIES COMMISSION
ENERGY RESOURCES BRANCH
AREA 4-A
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

THERESA CHO
CALIF PUBLIC UTILITIES COMMISSION
EXECUTIVE DIVISION
ROOM 5207
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

GRANT A. ROSENBLUM
STAFF COUNSEL
CALIFORNIA ISO
151 BLUE RAVINE ROAD
FOLSOM, CA 95630

JULIE GILL
EXTERNAL AFFAIRS MANAGER
CALIFORNIA INDEPENDENT SYSTEM OPERATOR
151 BLUE RAVINE ROAD
FOLSOM, CA 95630

PHILIP D. PETTINGILL
CALIFORNIA INDEPENDENT SYSTEM OPERATOR
151 BLUE RAVINE ROAD
FOLSOM, CA 95630

MEG GOTTSTEIN
ADMINISTRATIVE LAW JUDGE
PO BOX 210/21496 NATIONAL STREET
VOLCANO, CA 95689

DEBORAH SLON
DEPUTY ATTORNEY GENERAL, ENVIRONMENT
OFFICE OF THE ATTORNEY GENERAL
1300 I STREET, 15TH FLOOR
SACRAMENTO, CA 95814

KAREN GRIFFIN
EXECUTIVE OFFICE
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET, MS 39
SACRAMENTO, CA 95814

PIERRE H. DUVAIR
CALIFORNIA ENERGY COMMISSION
1516 NINTH STREET, MS-41
SACRAMENTO, CA 95814